

Serial No.: 10/720,173
Docket No.: 102-1003
Amendment dated October 20, 2006

REMARKS

Introduction

Applicant notes with appreciation the Examiner's indication that claims 3, 5, 7, 12-18, 21-23, and 26-30 would be allowable if rewritten in independent form.

Upon entry of this Amendment, claims 1-31 are pending in this application. Claims 1, 6, 8, and 31 have been amended. No new matter is being presented. In view of the following remarks, reconsideration and allowance of all the pending claims are requested.

Rejection under 35 USC §102

Claims 1, 4, 6, 8, 24-25, and 31 have been rejected under 35 U.S.C. §102(e) as being anticipated by the admitted prior art. Applicant traverses this rejection for at least the following reasons.

Claims 1, 6, 8, and 31 have been amended to recite "a buffer to output the converted level of the signal" and "at least one time extending element to extend by a predetermined time a transient time of the output potential level of the signal."

It is respectfully submitted that the AAPA does not show the applicant's time extending element as recited in the amended claims.

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." Verdegaal Bros. v. Union Oil Co. of California, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). The identical invention must be shown in as complete detail as contained in the...claim."

Richardson v. Suzuki Motor Co., 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). "The elements must be arranged as required by the claim..." In re Bond, 910 F.2d 831, 15 USPQ2d 1566 (Fed. Cir. 1990). Therefore, it is respectfully submitted that independent claims 1, 6, 8, and 31 are allowable over the admitted prior art, and withdrawal of this rejection and allowance of these claims are earnestly solicited.

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Regarding claims 4 and 24-25, it is respectfully submitted that for at least the reason that claims 4 and 24-25 depend from independent claims 1 and 8, respectively, and therefore contain each of the features as recited in these claims, claims 4 and 24-25 are therefore also patentable over the admitted prior art, and withdrawal of the rejection of these claims and allowance thereof are earnestly solicited.

Rejection under 35 USC §103

Claims 2, 9-11 and 19-20 have been rejected under 35 U.S.C. §103(a) as being unpatentable over the admitted prior art in view of U.S. Patent No. 6,273,537 to Hiwada. Applicant traverses this rejection for at least the following reasons.

Claims 2, 9-11, and 19-20 depend from allowable independent claims 1 and 8, respectively, and therefore include each of the features of these claims.

The Examiner acknowledges that the admitted prior art does not disclose the features of claims 2, 9-11, and 19-20. See Office Action of May 25, 2006 page 9. However, the Examiner relies on Hiwada as allegedly teaching the features that the admitted prior art lacks. See Office Action of May 25, 2006 page 9.

Applicant respectfully submits that Hiwada does not disclose the Applicant's transient time extending part, and that even if Hiwada does in fact teach the features of these dependent claims, as alleged by the Examiner, the admitted prior art and Hiwada, either separately or in combination with one another, fail to teach or suggest "a transient time extending part provided with at least one time extending element to extend by a predetermined time a transient time of output potential level of the signal," as recited in independent claim 1, and "a level shift unit generating a first nozzle selection signal having a first transient time, during which a level of the first nozzle selection signal is changed between first and second levels, in response to the control nozzle selection signal, and generating a second nozzle selection signal having a second transient time extended by a period from the first transient time of the first nozzle selection signal," as recited in independent claim 8 of Applicant's invention. Accordingly, claims 2, 9-11, and 19-20 are patentable over the references relied upon by the Examiner at least by

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virtue of their dependency on independent claims 1 and 8, respectively, and withdrawal of the rejection and allowance of these claims are earnestly solicited.

Conclusion

It is respectfully submitted that a full and complete response has been made to the outstanding Office Action and, as such, there being no other objections or rejections, this application is in condition for allowance, and a notice to this effect is earnestly solicited.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided below.

If any further fees are required in connection with the filing of this amendment, please charge the same to our Deposit Account No. 502827.

Respectfully submitted,

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